

Message Text

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PAGE 01 VIENNA 05485 151523Z
ACTION EUR-12

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TAGS: ENRG, MNUC, TECH, AU
SUBJECT: DISCUSSION ON DISPOSITION OF AUSTRIAN SPENT FUEL

1. ON JUNE 13, AT AUSTRIAN REQUEST, US INFCE DELS
(CUNNINGHAM, BENGELSDORF, BORIGHT) AND AN EMBASSY OFFICER
MET WITH AMBASSADOR HERNDL AND SCHMIDT (FEDERAL CHAN-
CELLERY) TO REVIEW THE SITUATION WITH REGARD TO DISPOSITION
OF ZWENTENDORF SPENT FUEL, AND US/AUSTRIA AGREEMENT FOR
COOPERATION.

2. THE AUSTRIANS REVIEWED THEIR DECISION NOT TO START
UP ZWENTENDORF UNTIL A PERMANENT WASTE SOLUTION IS FOUND.
THEIR FIRST PREFERENCE IS US ACCEPTANCE OF THE SPENT
FUEL. SECOND PREFERENCE WOULD BE REPROCESSING UNDER
THEIR COGEMA AGREEMENT. A THIRD POSSIBILITY IS SPENT
FUEL STORAGE OR DISPOSAL IN SOME OTHER LOCATION. WITH
REGARD TO THE LATTER, US REPS REVIEWED LEGAL REQUIREMENTS
FOR AN AGREEMENT FOR COOPERATION BETWEEN THE US AND
THE COUNTRY IN QUESTION. AUSTRIANS, WITHOUT REPORTING
IN DETAIL ON THEIR INTERACTIONS WITH IRAN AND EGYPT
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PAGE 02 VIENNA 05485 151523Z

DISCUSSED LEGAL FRAMEWORK BUT MADE CLEAR IN CONFIDENCE
THAT THEY BELIEVE BOTH POSSIBILITIES ARE OUT OF THE
QUESTION.

3. US REPS ASKED FOR AUSTRIAN REACTION TO THE POTENTIAL
FORMULATION OFFERED BY THE US IN WASHINGTON IN APRIL,
AND POINTED OUT THAT IT INCLUDED A POSSIBLE US COMMITMENT

TO AGREE TO ONE OF THE TWO AUSTRIAN FIRST PREFERENCES, IF NO OTHER SOLUTION WERE AVAILABLE. FLEXIBILITY OF TIMING RELATIVE TO CONCLUSION OF NEW AGREEMENT WAS ALSO MENTIONED. AUSTRIANS RESPONDED THAT TIMING IS A PROBLEM: I.E., IF AUSTRIA DOES NOT KNOW UNTIL EARLY 1980S WHETHER STORAGE IN US OR OTHER OPTIONS WILL BE AVAILABLE, THEY MUST LIVE WITH UNCERTAINTY AS TO WHICH WILL BE USED, AND MUST BE PAYING COGEMA IN THE MEANTIME.

4. AUSTRIANS WANT A FIRST READING OF PROVISIONS REQUIRED IN A NEW OR AMENDED AGREEMENT IN ORDER TO CLEARLY UNDERSTAND AND PRESENT TO AUTHORITIES "THE REASON WHY IT IS NECESSARY." THEY SUGGEST THIS BE TAKEN UP AT NEXT FORMAL MEETING, ALONG WITH SPENT FUEL QUESTION. SCHMIDT SAID THEY FORESEE LENGTHY NEGOTIATIONS. THEY NOTE THAT IF ZWENTENDORF IS NOT TO OPERATE, NEED FOR NEW OR AMENDED AGREEMENT WOULD NOT BE CLEAR.

5. AS LEGAL POINT, SCHMIDT SAID THEIR VIEW IS THAT US AGREEMENT WOULD NOT BE REQUIRED FOR TRANSFERS OF WASTE FROM ANY REPROCESSING OF US ORIGIN FUEL. US DEL INDICATED THAT US LEGAL OFFICERS DID NOT SHARE THIS VIEW, BUT THAT, AS NOTED IN APRIL MEMORANDUM, THIS NEED NOT BE A PROBLEM.

6. WITH REGARD TO NEXT MEETING, SEVERAL OPTIONS WERE LIMITED OFFICIAL USE

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PAGE 03 VIENNA 05485 151523Z

EXAMINED. IT WAS AGREED THAT US REPS WOULD DETERMINE WHETHER THREE HALF-DAY SESSIONS IN VIENNA DURING THE PERIOD JULY 26,27 AND 28 WOULD BE ACCEPTABLE TO US. THIS PROPOSAL IS BASED ON POSSIBILITY THAT ALL OR MOST OF APPROPRIATE US PARTICIPANTS CONCEIVABLY MIGHT BE IN VIENNA FOR INFCE WG-3. DEPT. REQUESTED TO ADVISE RE ACCEPTABILITY OF THOSE DATES TO INTERESTED AGENCIES. ALTERNATE PROPOSALS DISCUSSED WERE TO HOLD THE NEXT MEETING IN VIENNA AROUND THE TIME OF THE IAEA GENERAL CONFERENCE OR IN WASHINGTON AROUND OCT. 1.

7. EMBASSY COMMENT: AUSTRIAN RELUCTANCE TO MAKE MORE USE OF EXISTING U.S. ASSURANCES IN RELATION TO THE ZWENTENDORF PROBLEM IS SOMEWHAT SURPRISING, BUT IT IS DOUBTLESS DUE TO THE INTENSITY OF THE POLITICAL SIDE OF THE PROBLEM. WE ARE ALSO PUZZLED THAT AUSTRIANS APPARENTLY FORESEE EXTENDED NEGOTIATIONS ON NEW BILATERAL AGREEMENT EVEN WITH THE U.S. ANALYSIS INDICATING THAT PRESENT AGREEMENT COVERS MAJOR REQUIREMENTS OF THE US LEGISLATION. AUSTRIAN POSITIONS ON NEGOTIATIONS MAY REFLECT THEIR AWARENESS, WHICH THEY HAVE MENTIONED TO EMBASSY OFFICERS HERE, THAT OTHER COUNTRIES WILL BE CLOSELY

WATCHING HOW AUSTRIA GOES THROUGH THE NEGOTIATING
PROCESS, AND MAY WANT TO HAVE STEP BY STEP CONSULTATIONS
WITH AUSTRIA AS THE NEW AGREEMENT IS NEGOTIATED.
BORG

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